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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,348	12/27/2005	Jurgen Lucrs	2003P07111WOUS	6250

22116 7590 05/07/2007

SIEMENS CORPORATION
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EXAMINER

HUANG, WEN WU

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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05/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/562,348	Applicant(s) LUERS, JURGEN	
	Examiner Wen W. Huang	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-12 are canceled.

Claims 13-23 are pending.

Claim Objections

Claim 13 is objected to because of the following informalities:

The 10th of claim 13 recites "the selection mechanism" which lacks antecedent basis. Furthermore, the Examiner makes the assumption that "the output device" means "the display device". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 13-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Kotzin (US Pub No. 2004/0204076 A1).

Regarding **claim 13**, Kotzin teaches a telecommunications terminal (see Kotzin, fig. 1, subscriber device 103) having a user interaction function adapted to establish a telecommunications connection (see Kotzin, fig. 2, user interface 112, para. [0013]), comprising:

a signaling mechanism adapted for signaling incoming calls to the selected connection (see Kotzin, fig. 2, speaker 219);

an input device adapted for inputting outgoing messages and a telecommunications connections data (see Kotzin, fig. 2, keypad 215, microphone 221);

a display device adapted for displaying incoming messages (see Kotzin, fig. 2, display 217);

a local-area transceiver (see Kotzin, fig. 2, LAN transceiver 209) adapted for wireless traffic between the telecommunications terminal and an external gateway (see Kotzin, fig. 1, notebook 113) for establishing the telecommunications connection (see Kotzin, fig. 1, wireless LAN connection 111; para. [0012], lines 22-23, PSTN 125); and

an internal gateway (see Kotzin, fig. 2, WAN transceiver 203 and controller 207), component for connecting to a mobile radio communications network (see Kotzin, fig. 1, WAN wireless connection 109; para. [0012], lines 7-10) and for interfacing (see Kotzin, fig. 2, I/O 213) to the selection mechanism (see Kotzin, fig. 2, keypad), the signaling mechanism (speaker), the input device (microphone), and the output device (display), wherein the telecommunications terminal is configured as a mobile-radio-communications terminal (see Kotzin, para. [0012], lines 3-5).

Regarding **claim 14**, Kotzin also teaches the telecommunications terminal according to claim 13, wherein the local-area transceiver is adapted according to a Bluetooth standard having loadware adapted for connecting to the gateway (see Kotzin, para. [0015], lines 5-6 and 15-19).

Regarding **claim 15**, Kotzin also teaches the telecommunications terminal according to claim 13, wherein the local-area transceiver is adapted according to a wireless LAN having loadware adapted for connecting to the gateway (see Kotzin, para. [0015], lines 5-6 and 15-19).

Regarding **claim 16**, Kotzin also teaches the telecommunications terminal according to claim 13, further comprising a user-data memory (see Kotzin, memory 227) adapted for storing connection-data records of a predetermined connection that can be established between the external gateway and the telecommunications terminal (see Kotzin, fig. 2, connection est. 237; para. [0016], lines 4-6).

Regarding **claim 17**, Kotzin also teaches the telecommunications terminal according to claim 16, further comprising an authentication-data input (see Kotzin, fig. 2, keypad 215) for inputting an authentication data of a user (see Kotzin, para. [0021], lines 1-3; "device profile"), the data authentication-data interfacing with the local-area transceiver for transmitting the authentication data to the gateway (see Kotzin, para. [0021], lines 9-20).

Regarding **claim 18**, Kotzin also teaches the telecommunications terminal according to claim 17, further comprising a processor and memory (see Kotzin, fig. 2, processor 208 and memory 227) to provide PDA functionality that is independent of the

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telecommunications functions (see Kotzin, para. [0026], lines 12-15, platform independent language).

Regarding **claim 19**, Kotzin teaches a telecommunications assembly (see Kotzin, fig. 1, subscriber device 103 and notebook 113), comprising:

a telecommunications terminal (subscriber device 103) having a user interaction function adapted to establish a telecommunications connection (see Kotzin, fig. 2, user interface 112, para. [0013]), comprising:

a signaling mechanism adapted for signaling incoming calls to the selected connection (see Kotzin, fig. 2, speaker 219);

an input device adapted for inputting outgoing messages and a telecommunications connections data (see Kotzin, fig. 2, keypad 215, microphone 221);

a display device adapted for displaying incoming messages (see Kotzin, fig. 2, display 217);

a local-area transceiver (see Kotzin, fig. 2, LAN transceiver 209) adapted for wireless traffic between the telecommunications terminal and an external gateway (see Kotzin, fig. 1, notebook 113) for establishing the telecommunications connection (see Kotzin, fig. 1, wireless LAN connection 111; para. [0012], lines 22-23, PSTN 125); and

an authentication-data input mechanism allowing an authentication-data input (see Kotzin, fig. 2, keypad 215), the authentication-data input mechanism interfacing with the local-area transceiver for transmitting the authentication data (see Kotzin, para. [0021], lines 1-3; "device profile"; para. [0021], lines 9-20); and

an external gateway (see Kotzin, fig. 1, notebook 113), comprising:

a local-area receiver (see Kotzin, fig. 3, LAN transceiver 303; para. [0017], lines 14-18) adapted to receive transmission from telecommunications terminal including the authentication-data input (see Kotzin, fig. 1, LAN wireless connection 111); and

an access control mechanism (see Kotzin, para. [0022], lines 1-2; security firewall) adapted to block traffic to an unauthorized telecommunications terminal based on the authentication-data input and to release traffic to an authorized telecommunications terminal based on the authentication-data input (see Kotzin, para. [0021], lines 9-20 and para. [0022], lines 1-16).

Regarding **claim 20**, Kotzin also teaches the telecommunications assembly according to claim 19, wherein the external gateway excludes a signaling mechanism (see Kotzin, fig. 1, speaker 121, para. [0015]), an input device (keyboard 117), and a display device (display 115).

Regarding **claim 21**, Kotzin also teaches the telecommunications assembly according to claim 19, wherein the local-area transceiver includes a threshold discriminator (see Kotzin, fig. 2, antenna of the LAN transceiver 209) for detecting an entry into the radio transmission range of a telecommunications terminal (see Kotzin, fig. 4, step 403 "detecting external device"), the threshold discriminator is operatively connected to a communications-start control device (see Kotzin, fig. 2, controller 207) for initiating a communications start procedure with the telecommunications terminal

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after entering into the radio transmission range (see Kotzin, fig. 4, step 409 to 423; para. [0029]).

Regarding **claim 22**, Kotzin also teaches the telecommunications assembly according to claim 21, wherein the telecommunication terminals includes an internal gateway (see Kotzin, fig. 2, WAN transceiver 203 and controller 207), component for connecting to a mobile radio communications network (see Kotzin, fig. 1, WAN wireless connection 109; para. [0012], lines 7-10) and for interfacing (see Kotzin, fig. 2, I/O 213) to the selection mechanism (see Kotzin, fig. 2, keypad), the signaling mechanism (speaker), the input device (microphone), and the output device (display), wherein the telecommunications terminal is configured as a mobile-radio-communications terminal (see Kotzin, para. [0012], lines 3-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin as applied to claim 19 above, and further in view of Kondou et al. (US Pub No. 2004/0248569 A1; hereinafter "Kondou")

Regarding **claim 23**, Kotzin teaches the telecommunications assembly according to claim 19.

Kotzin is silent to teaching that wherein each local-area transceiver for a plurality of the telecommunication terminals are configured for directly exchanging traffic with each other without the intermediate connection of an external network. However, the claimed limitation is well known in the art as evidenced by Kondou.

In the same field of endeavor, Kondou teaches a telecommunications assembly wherein each local-area transceiver (see Kondou, fig. 1, short range transceiver 12) for a plurality of the telecommunication terminals (see Kondou, fig. 3, portable terminals 1) are configured for directly exchanging traffic with each other without the intermediate connection of an external network (see Kondou, para. [0022], lines 16-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin with the teaching of Kondou in order to decrease the excessive traffic on a communication path (see Kondou, para. [0004], lines 12-14).

Response to Amendment

The Declaration filed on 11/03/06 along with the translation of Exhibit A, Invention Disclosure form, filed on 2/28/07 under 37 CFR 1.131 is sufficient to overcome the Palin reference.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen W. Huang whose telephone number is (571) 272-7852. The examiner can normally be reached on 10am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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MATTHEW ANDERSON
SUPERVISORY PATENT EXAMINER